

## Message Text

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ORIGIN EA-09

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00

EB-07 INR-07 NSAE-00 FAA-00 OES-03 L-03 /032 R

DRAFTED BY EB/AVP:SCKEITER:VLV

APPROVED BY EB/OA:MHSTYLES

EB/AVP - AJWHITE EPA-HNOZICK

EB/AVP - JSRAVATT

DOT - MR. SCHROEDER

OES - PJGLASOE (SUBS)

EA/J - DFSMITH EB/AN-WBCOBB

FAA/AEQ1 - JPOWERS (PHONE)

CAB - JHORNEMAN (SUBS)

L/EB - PTRIMBLE (PHONE)

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P R 262211Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

INFO AMCONSUL MONTREAL

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR - NOISE LEVY

REF: TOKYO 12240 AND 12054

1. DEPT CONCURS THAT JAPANESE NOTE, IF IT CAN BE TAKEN AT  
FACE VALUE, WOULD SEEM UNDERMINE MUCH OF OUR ARGUMENT  
AGAINST NOISE LEVY.

2. UNFORTUNATELY, ATTEMPT DELAY IMPLEMENTATION OF LEVY  
BY HOLDING UP PROSPECT OF INTERNATIONAL ACTION UNLIKELY  
BE HELPFUL. ICAO COUNCIL HAS NOISE ITEM ON AGENDA FOR LATE  
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THIS YEAR, BUT IT RELATES TO TECHNICAL STANDARDS, NOT

LEVIES. (FYI. AS JAPANESE UNDOUBTEDLY AWARE, US EFFORTS

TO ENGAGE ICAO IN MORE PRACTICAL PROBLEMS, SPECIFICALLY RETROFIT OF EARLY, NOISY SUBSONICS, HAVE PRODUCED NO FRUIT TO DATE. END FYI.) OECD WORKING GROUP DOES HAVE NOISE CHARGES ON ITS AGENDA, BUT IT JUST BEGINNING RESEARCH ON THE SUBJECT. EVEN IF US WERE TO MOUNT MAJOR EFFORT, IT IS UNLIKELY THAT CONCLUSION WOULD BE REACHED WITHIN A TIME FRAME JAPANESE MIGHT FIND ACCEPTABLE. (FYI. WE ARE LOOKING INTO OECD STUDY AS POSSIBLE LONGER RUN AVENUE TO INTERNATIONAL STANDARDS FOR NOISE CHARGES. END FYI.)

3. DEPT BELIEVES THAT NEVERTHELESS, UNLESS EMBASSY SEES OBJECTION, IT SHOULD SUBMIT NEW NOTE, CONCENTRATING FIRE ON WEIGHT BASIS FOR LEVY. SUGGEST ARGUMENT ALONG FOLLOWING LINES:

A. IDEA THAT THOSE WHO USE FACILITIES SHOULD PAY FOR THEM SEEMS REASONABLE. WE WELCOME ASSURANCE THAT FEES WILL BE USED AT THE AIRPORT WHERE THEY ARE COLLECTED.

B. IT IS NOISEMAKERS WHO ACCOUNT FOR THE NEED TO PROVIDE NOISE ABATEMENT FACILITIES. THE NEED IS IN PROPORTION TO THE NOISE THEY MAKE; WEIGHT IS IRRELEVANT.

C. ABILITY TO PAY, ESPECIALLY WHEN UNRELATED TO THE SERVICE RENDERED, IS NOT AN APPROPRIATE CRITERION FOR A USER CHARGE.

D. THE PRESENT LEVY IS IN EFFECT PRIMARILY A TAX ON EACH AIRCRAFT, ACCORDING TO WEIGHT. IF A 747 MADE NO NOISE WHATSOEVER, IT WOULD STILL PAY NEARLY TWO-THIRDS OF THE CURRENT CHARGE.

E. LOOKED AT FROM A DIFFERENT POINT OF VIEW, A 707 WOULD HAVE TO PRODUCE 149 EPND B BEFORE IT WOULD PAY AS MUCH AS AN ORDINARY 747. SURELY A LARGE QUIET AIRPLANE IS MUCH TO BE PREFERRED TO A SMALL, NOISY ONE, AND EVEN MORE TO THE TWO OR THREE SMALL, NOISY ONES THAT WOULD BE REQUIRED TO REPLACE THE LARGE ONE.  
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F. THEREFORE, INSOFAR AS THE NOISE LEVY IS IMPOSED ON THE BASIS OF WEIGHT RATHER THAN NOISE, IT IS NOT "JUST", AS REQUIRED BY THE AIR TRANSPORT AGREEMENT. IT IS NOT REALLY EVEN A CHARGE FOR THE USE OF THE AIRPORT BUT A SIMPLE TAX, SINCE A LESS NOISY PLANE DOES NOT REQUIRE THE SAME INVESTMENT IN NOISE ABATEMENT FACILITIES.

G. THE USG URGES THE GOJ TO RECONSIDER THE ISSUE IN THIS LIGHT WITH A VIEW TO PROMPT REVISION OF ITS NOISE LEVY. IF NOT, THE US WILL HAVE TO SEEK OTHER MEANS OF PROTECTING THE INTERESTS OF ITS CARRIERS, WHICH, AS THE PRINCIPAL USERS OF LARGE AIRCRAFT, ARE INJURED BY THE PRESENT LEVY.

4. EMBASSY MAY ALSO WISH TO NOTE THAT PRESENT DISPARITY BETWEEN HIGH LANDING COSTS IN JAPAN AND CONSIDERABLY LOWER LANDING COSTS IN US WOULD BE FURTHER AGGRAVATED BY IMPOSITION OF NOISE LEVY AS PRESENTLY CALCULATED.

5. NO OBJECTION IF EMB WISHES FOLLOW UP NOTE WITH JOINT

DEMARCHE AS SUGGESTED TOKYO 12054, PROVIDED ABOVE POINTS NOT DILUTED. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NOISE POLLUTION, AIRPORT FEES  
**Control Number:** n/a  
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**Draft Date:** 26 SEP 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** SmithRJ  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**TAGS:** EAIR, JA  
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